

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89908 of 2025

Arising Out of PS. Case No.-266 Year-2025 Thana- TEGHRHA District- Begusarai

Vikash Kumar Son of Late Ashok Yadav R/O Village- Marasaiti, Ward No.-
07, P.S.- Teghra, District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-01-2026 Heard Mr. Sanjay Kumar Singh, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Teghra P.S. Case No. 266 of 2025 for the offence registered under sections 126(2), 115(2), 109, 74, 352, 351(2) and 3(5) of the BNS and newly added Section 103(1) of the BNS.

3. As per the prosecution story, the informant alleged that due to the construction of building, the dispute took place and the accused persons armed variously came and assaulted all the family members. Allegation against Harinandan Yadav is of assaulting the informant while omnibus allegation against other accused persons is/are of giving blow to the family members including Surendra Yadav. This followed the FIR.

4. The allegation is of 22.08.2025, the FIR was lodged



on 24.08.2025 and subsequently Surendra Yadav died on 01.10.2025 and as such, necessary section has been added in the present case.

4. Learned Counsel for the petitioner submits that a perusal of the FIR would show that specific allegation is against Harinandan Yadav of assaulting the informant. So far as other petitioners are concerned, omnibus allegation has been made. Further, the injury report shows that in the assault assigned to these petitioners, the informant's side have sustained simple injuries. Further, so far as the case of Surendra Yadav is concerned, he has taken this Court to the post-mortem report to show that he was an old person and died not due to any injury but chronic disease. The last submission is that the entire post-mortem report nowhere shows any external injuries, save and except incorporating that one scar mark is there over mid back.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though omnibus in nature, all the accused persons assaulted and one of the person died.

6. Considering the submissions of the parties as also taking note of the post-mortem report of Surendra Yadav, omnibus allegation is against these petitioners, none have



criminal antecedent, said Surendra Yadav though died, no injury found on his person, death, others have been found to have sustained simple injuries, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 266 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark



attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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